

105th Congress, 1st Session - - - - - House Document 105-102

FISCAL YEAR 1998 BUDGET AMENDMENTS REQUEST

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

AMENDMENTS TO THE FISCAL YEAR 1998 APPROPRIATIONS REQUESTS FOR THE DEPARTMENT OF ENERGY (DOE) AND THE ARMY CORPS OF ENGINEERS, PURSUANT TO 31 U.S.C. 1106(b)



JULY 9, 1997.—Referred to the Committee on Appropriations and ordered to be printed

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WASHINGTON : 1997

THE WHITE HOUSE,
Washington, July 9, 1997.

SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I ask Congress to consider the enclosed amendments to the FY 1998 appropriations requests for the Department of Energy (DOE) and the Army Corps of Engineers. The DOE proposal would establish an Asset Management Pilot Projects program within DOE and direct the Department to sell or lease five specific assets. For the Army Corps of Engineers, an additional \$16 million in FY 1998 is requested for the construction of an emergency outlet for the Devils Lake Basin in North Dakota. The increased Corps of Engineers funding is offset by reductions to DOE's Power Marketing Administrations and by the sale of DOE assets. In addition, \$2.5 million in funds previously requested for the Corps of Engineers would be used specifically for flood protection efforts for East Grand Forks, Minnesota, and Grand Forks, North Dakota.

The details of these actions are set forth in the enclosed letter from the Director of the Office of Management and Budget. I concur with his comments and observations.

Sincerely,

WILLIAM J. CLINTON.

Enclosure.

Estimate No. 13
105th Congress, 1st Session



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

July 9, 1997

THE DIRECTOR

The President

The White House

Submitted for your consideration are amendments to your FY 1998 appropriations requests for the Department of Energy (DOE) and the Army Corps of Engineers. These proposed changes would establish an Asset Management Pilot Projects program within DOE and provide Corps of Engineering funding for specific flood management programs.

Under the Asset Management Pilot Projects program, DOE would retain half of the net proceeds from sales or leases under five designated Pilot Projects and apply those proceeds to expenses of the projects and related activities. The remaining proceeds would be returned to the Department of the Treasury. The sales and leases associated with this proposal are estimated to result in Department of the Treasury receipts of \$9.5 million in FY 1998 and \$25.6 million over five years.

The five pilots, none of which were included in the FY 1998 Budget, include: (1) the sale of heavy water located at the Savannah River site; (2) the sale of precious metals located throughout the DOE complex; (3) the lease of buildings and other facilities located at the Hanford facility; (4) the lease of buildings and other facilities located at the Savannah River site; and, (5) the disposition of equipment and other personal property located at Rocky Flats.

For the Corps of Engineers, an additional \$16 million is requested for the Construction, General account to build an emergency outlet for Devils Lake Basin, North Dakota. This funding is needed to reduce flood damage caused by the rising water level in the lake. The additional \$16 million requested will be offset by reductions to DOE's Power Marketing Administrations, previously transmitted on March 19th, and by funds made available through DOE's asset sale program.

Also, an amendment is proposed that would earmark \$2.5 million of funds previously requested for the Army Corps of Engineers' General Investigations account for a flood protection project for East Grand Forks, Minnesota, and Grand Forks, North Dakota.

I have carefully reviewed these proposals and am satisfied that they are necessary at this time. Therefore, I join the Secretary of Energy and the Secretary of the Army in recommending that they be transmitted to Congress.

Sincerely,

A handwritten signature in black ink, appearing to read 'F. D. Raines', with a stylized flourish at the end.

Franklin D. Raines
Director

Enclosures

FY 1998 Budget Amendment

Agency: DEPARTMENT OF DEFENSE -- CIVIL

Bureau: CORPS OF ENGINEERS -- CIVIL

Heading: Construction, General

House Doc. 105-95, Page: 7

FY 1998

Pending Request: \$1,062,470,000

Proposed Amendment: \$16,000,000

Revised Request: \$1,078,470,000

(In the appropriations language under the above heading, delete "\$1,062,470,00" and substitute \$1,078,470,000; insert the following after "Cooper River, Charleston Harbor South Carolina (resumption), \$2,738,000;".)

Devils Lake, North Dakota, outlet to Sheyenne River, \$16,000,000: Provided further, That the Secretary of the Army is authorized to construct such outlet, at an estimated total cost of \$50,000,000, the cost of which shall be shared 65 percent Federal and 35 percent non-Federal: Provided further, That operation, maintenance, repair, replacement, and rehabilitation shall be a non-Federal responsibility and the non-Federal interest shall assume ownership of the outlet:

(In the second paragraph, insert the following before ", fiscal year 2000":)

, of which \$11,500,000 shall be available for the Devils Lake emergency outlet

This proposal would authorize the Secretary of the Army to construct an emergency outlet from the west end of Devils Lake, North Dakota, to the Sheyenne River to reduce the flood damages being suffered by the residents of the Devils Lake Basin from the rising waters of the lake. The authorization would include all work associated with constructing an outlet, which is part of a comprehensive action plan established in the 1995 report of the Devils Lake Basin Interagency Task Force led by the Federal Emergency Management Agency (FEMA). In light of the emergency nature of the action, the Secretary is urged to consult with the Council on Environmental Quality to expedite the National Environmental Policy Act process. In addition, in carrying out this project, the Secretary would comply with the provisions of the 1909 Boundary Waters Treaty and would consider the sovereignty and views of the Spirit Lake Nation. Construction of the emergency outlet is fully funded through advance appropriations.

On March 19, 1997, the Administration proposed to offset funding for Devils Lake with FY 1998 budget amendments to reduce budget authority for the Western Area Power Administration (WAPA) by \$14 million and reduce budget authority for the Southeastern Power Administration (SEPA) by \$2 million. The \$2 million of SEPA funding continues to be available as an offset. However, because of the rescission of FY 1997 WAPA funds in P.L. 105-18, the FY 1997 Emergency Supplemental Appropriations and Rescissions Act, only \$4.7 million of the original \$14 million offset from WAPA remains available. Consequently, the Administration proposes to use \$9.3 million of FY 1998 budgetary resources made available from the proposed sale of DOE assets in order to fully offset funding for the Devils Lake outlet.

This amendment would increase discretionary outlays in this account by \$9.6 million in FY 1998. This outlay increase would be fully offset by the reduction in outlays for the Power Marketing Administrations and the increase in receipts from the sale of DOE assets.

FY 1998 Budget Amendment

Agency: DEPARTMENT OF DEFENSE -- CIVIL
Bureau: CORPS OF ENGINEERS -- CIVIL
Heading: General Investigations
FY 1998 Budget Appendix Page: 395
FY 1998 Pending Request: \$150,000,000
Proposed Amendment: Language
Revised Request: \$150,000,000

(In the appropriations language under the above heading, insert the following before the period:)

, of which the amounts provided herein, \$2,500,000 shall be for the East Grand Forks, Minnesota project.

This amendment provides appropriations language consistent with the President's Framework for Federal Action for flood protection for East Grand Forks, Minnesota, and Grand Forks, North Dakota. This amendment would provide funding to resume Pre-construction Engineering and Design (PED) on the authorized East Grand Forks project and to advance from feasibility work to PED on the Grand Forks project. Upon the required authorization these two projects will be combined into one project.

The funding for the project would be offset by increasing the savings and slippage applied to the FY 1998 General Investigations account from \$26,006,000 to \$28,506,000. The proposed amendment would have no effect on outlays.

FY 1998 Budget Amendment

Agency: DEPARTMENT OF ENERGY

Bureau: ATOMIC ENERGY DEFENSE ACTIVITIES

Heading: Defense Environmental Restoration and Waste Management

FY 1998 Budget
Appendix Page: 454

FY 1998
Pending Request: \$5,052,499,000

Proposed Amendment: Language

Revised Request: \$5,052,499,000

(In the appropriations language under the above heading, insert the following after "to become available on October 1, 1998.")

Provided, That during fiscal year 1998, revenues authorized by section xxx of the National Defense Authorization Act for Fiscal Year 1998 shall be collected, and as provided in such section xxx, shall be credited to this account, made available, and remain available until expended, as follows:

(A) (1) from proceeds of the sale of heavy water at the Savannah River site, an amount equal to the cost of project sales, not to exceed \$10,600,000; (2) from proceeds of the sale of precious metals, an amount equal to the costs of project sales, not to exceed \$1,362,000; (3) from proceeds of the lease of buildings and other facilities at the Hanford facility, an amount equal to the costs of project leases, not to exceed \$80,000; (4) from proceeds of the lease of buildings and other facilities at the Savannah River site, an amount equal to the costs of project leases, not to exceed \$705,000; and, (5) from proceeds of the disposition of equipment and other personal property located at Rocky Flats, an amount equal to the costs of disposition, not to exceed \$6,300,000; and,
(B) From revenues collected in excess of the amounts listed in subsection (A), fifty percent for the purposes of this account.

This amendment would direct the Department of Energy (DOE) to sell or lease specific assets under an Asset Management Pilot Projects program. DOE would retain a portion of the proceeds from sales or leases under five designated Pilot Projects and apply those proceeds to expenses of the projects and related activities. The remaining proceeds would be returned to the Department of the Treasury. Disposition of these assets would also reduce DOE's costs for inspecting and maintaining its facilities.

This proposal would reduce FY 1998 outlays from this account by \$7.1 million. In addition, the amendment would increase miscellaneous receipts to the Department of the Treasury in FY 1998 by \$9.5 million. (\$9.3 million of the \$9.5 million increase in FY 1998 receipts would offset, partially, the increased spending for the Army Corps of Engineer's Devils Lake project.)

